

CITY OF HORSESHOE BAY

RESOLUTION NO. RES 08-04-15C

**RECEIVING PETITION FROM MICHAEL WALSH OWNER OF THE SPACE
CENTER TRACT**

**A RESOLUTION OF THE CITY OF HORSESHOE BAY, TEXAS,
RECEIVING THE PETITION OF THE OWNER OF THE SPACE
CENTER TRACT PROPERTY TO ANNEX THAT TERRITORY;
HOLDING THE HEARING REQUIRED BY SECTION 43.028(d), LOCAL
GOVERNMENT CODE, PROVIDING PUBLIC NOTICE OF TWO
PUBLIC HEARINGS PURSUANT TO SUBCHAPTER C-1 OF CHAPTER
43, LOCAL GOVERNMENT CODE, DIRECTING CITY STAFF TO
PREPARE A SERVICE PLAN FOR THE AREA; PROVIDING FOR
EFFECTIVE DATE AND PROPER NOTICE AND MEETING**

WHEREAS, on or about April 1, 2008, a written petition requesting annexation of certain territory Michael Walsh owns commonly known as the Space Center property, was filed with the City of Horseshoe Bay by the Owner; and

WHEREAS, the petition describes the territory generally known as the Space Center property by metes and bounds and is acknowledged in the manner required for a deed by the person having an interest in the area; and

WHEREAS, the territory at issue is one-half mile or less in width, is contiguous to the City of Horseshoe Bay, is in the City's extraterritorial jurisdiction, and is without residents; and

WHEREAS, the City Council of the City of Horseshoe Bay (City Council) finds that the territory may be annexed pursuant to Section 43.028, Local Government Code; and

WHEREAS, the City Council seeks to hold public hearings regarding the proposed annexation to hear any public comments for or against the annexation of the territory;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
HORSESHOE BAY:**

I. RECEIPT OF PETITION

The petition of the Owner of the Property known as the Space Center property, attached hereto as Exhibit A and incorporated herein for all purposes, is hereby received.

II. PUBLIC HEARINGS

In compliance with Section 43.028(d), Local Government Code, the City Council has heard and considered arguments for and against annexation, does hereby accept the petition, and grants the same conditioned on the City's compliance with Section 43.063 and other provisions of the law requiring notice, public hearings, opportunity for written protest of the annexation, and other procedural steps that are not readily capable of completion within the time period contained in Section 43.028(d), and conditioned further on the City Council's affirmation of such granting of the petition and completion of the annexation following such procedural steps and further consideration by the Council.

Public hearings pursuant to Section 43.063 shall be held on the 27th day of May, 2008, at 3:00 p.m., and the 27th, day of May, 2008, at 3:05 p.m., in the City Council Chamber of the City Hall of the City of Horseshoe Bay, Texas, to give all interested persons the right to appear and be heard on the proposed annexation by the City of the property described in Exhibit A.

The City Secretary is hereby authorized and directed to cause notice of each public hearing to be published in a newspaper having general circulation in the City and in the area proposed for annexation not more than twenty days nor less than ten days prior to the date of such public hearing. Notice of each hearing shall also be posted on the City's Internet website not more than twenty days nor less than ten days prior to the hearing and shall remain posted until the date of the hearing.

III. SERVICE PLAN

The Development Services Manager is hereby authorized and directed to prepare a service plan detailing the municipal services that will be provided to the area after it has been annexed.

This Resolution is effective immediately upon its passage and approval.

ADOPTED AND APPROVED on this 15th of April 2008, by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

Robert W. Lambert, Mayor

ATTEST:

Teresa L. Moore, City Secretary